

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS  
OFFICE OF THE ZONING ADMINISTRATOR**



January 16, 2018

David Bamford  
Element Design + Build  
1422 Varnum St, NW  
Washington, DC 20011

Re: 3210 Central Ave NE PDRM - Square: 4315, Lot: 0034

Mr. Bamford:

This letter confirms the substance of the discussion for the PDRM held with my staff on November 14, 2017. Per the discussion, I understand that the property owners would like to build a new detached accessory building at the rear of the Property. Below are the determinations from this proposed project based on the current Zoning Regulations.

**ZONING REFERENCES:**

2016 DCMR Title 11 SUBTITLE C – General Rules Parking  
2016 DCMR Title 11 SUBTITLE D – Residential House (R) Zones  
2016 DCMR Title 11 SUBTITLE U – Use Permissions

**Zoning Standards:**

**1. Zoning District**

The Property is within the R-1-B zoning district.

**2. Maximum Number of Dwelling Units**

The Property is allowed as a matter-of-right to have one primary dwelling unit and one accessory apartment unit per DCMR Title 11 (2016) Subtitle D-201.1 and 201.2

*201 MAXIMUM NUMBER OF DWELLING UNITS*

*201.1 In all R zones, one (1) principal dwelling unit per lot of record shall be permitted as a matter-of-right.*

*201.2 In all R zones, one (1) accessory apartment shall be permitted per lot of record subject to the use permissions specified in Subtitle U.*

**3. Accessory Building – Allowed**

An Accessory Building is allowed in the R-1-B zone per DCMR Title 11 (2016) Subtitle D-5000.1-5:

*5000.1 Accessory buildings may be permitted within an R zone subject to the conditions of this section.*

*5000.2 An accessory building shall be subordinate to and located on the same lot as the principal building, and shall be used for purposes that are incidental to the use of the principal building.*

*5000.3 An accessory building shall be secondary in size compared to the principal building, and shall comply with all required yards for accessory buildings based on the zone in which they are located.*

*5000.4 Notwithstanding Subtitle D-5000.3, an accessory building shall not be located in the front yard of a lot in an R zone developed with a residential building*

*5000.5 A private garage permitted in an R zone as a principal use on a lot other than an alley lot, shall open directly onto an alley, and shall not be located within fifty feet (50 ft.) of the front building line or within twelve feet (12 ft.) of the center line of the alley upon which it opens.*

#### **4. Accessory Building – Matter of Right Use for Accessory Dwelling Unit**

The Accessory Building may be used as an Accessory Apartment Unit as a matter-of-right per DCMR Title 11 (2016) Subtitle U-253.2:

*An accessory apartment shall be permitted in a principal dwelling or an accessory building as a matter-of-right in the R zones, except the R-19 or R-20 zones, subject to the provisions of this section.*

#### **5. Floor Area Ratio (FAR)**

There is no FAR requirement for the Property.

#### **6. Lot Occupancy**

A. The maximum lot occupancy for the Property is 40% per DCMR Title 11 (2016) Subtitle D-304.1.

*304.1 The maximum permitted lot occupancy in the R-1-A, R-1-B, and R-2 zones shall be forty percent (40%).*

B. Lot occupancy is measured from the exterior face of the exterior walls (not roof overhangs) per DCMR Title 11 (2016) Subtitle B-312.4 (b).

C. A Bay Window is considered as part of Lot Occupancy only if it projects more than 24” from the exterior face of the building.

D. Uncovered stairs and landings serving the main floor are not included in lot occupancy per DCMR Title 11 (2016) Subtitle B-312.4 (e).

E. Decks and steps less than 48” above grade are not included in Lot Occupancy calculations.

#### **7. Accessory Building Included in Lot Occupancy**

The accessory building is included in lot occupancy requirements per DCMR Title 11 (2016) Subtitle D-5003.1.

*5003.1 An accessory building in an R zone as a principal use on a lot other than an alley lot shall be exempt from the requirements for minimum lot dimensions, but shall be subject to the limitation on percentage of lot occupancy of the zone in which the lot is located.*

#### **8. Primary Building Height + Number of Stories**

For the principle building, the allowable maximum height is 40 ft and the maximum number of stories is (3) per DCMR Title 11 (2016) Subtitle D-303.1:

*303.1 The maximum permitted building height, not including the penthouse, in the R-1-A, R-1-B, R-2, and R-3 zones shall not exceed forty feet (40 ft.) and the number of stories shall not exceed three (3) stories.*

#### **9. Accessory Building Height + Number of Stories**

The allowable maximum height for an accessory building is 20 ft. and the allowable maximum number of stories is (2) per DCMR Title 11 (2016) Subtitle D-5002.1:

*5002.1 The maximum height of an accessory building in an R zone shall be two (2) stories and twenty feet (20 ft.), including the penthouse. The height of an accessory building permitted by this section shall be measured from the finished grade at the middle of the side of the accessory building that faces the main building to the highest point of the roof of the building*

#### **10. Accessory Building Max Footprint**

A. The maximum footprint for an accessory building is 30% of the required rear yard area or 450 s.f. (whichever is greater) per DCMR Title 11 (2016) Subtitle D-5006.1

*5006.1 The maximum building area for an accessory building in an R zone shall be the greater of thirty (30%) of the required rear yard area or four hundred and fifty square feet (450 sq. ft.).*

B. The rear yard requirement for the Property is 25' x 50' lot width=1,250 s.f. x 30% = 375 s.f.. Thus, the maximum allowable footprint for an accessory building is 450 s.f.

#### **11. Rear Yard**

A. The Property has a minimum rear yard requirement of 25' per DCMR Title 11 (2016) Subtitle D-306.1:

*306.1 A minimum rear yard of twenty-five feet (25 ft.) shall be provided in the R-1-A and R-1-B zones*

B. An Accessory Building can occupy no more than 50% of the required rear yard per DCMR Title 11 (2016) Subtitle B; Chapter 1 100.2 Definitions:

*Yard: An exterior space, other than a court, on the same lot with a building or other structure. A yard required by the provisions of this title shall be open to the sky from the ground up, and shall not be occupied by any building or structure, except as specifically provided by this title. No building or structure shall occupy in excess of 50% of a yard required by this title.*

#### **12. Accessory Building Setback + Rear Yard**

An Accessory Building may be located within the Rear Yard, and there is no rear property line setback for the Property since it does not abut an alley per DCMR Title 11 (2016) Subtitle D-5004.1:

*5004.1 An accessory building in an R zone may be located within a rear yard provided, where abutting an alley, it shall be set back at least twelve feet (12 ft.) from the center line of the alley.*

#### **13. Occupancy Requirement**

Either the primary dwelling or the accessory apartment must be owner-occupied per DCMR Title 11 (2016) Subtitle U253.5:

*Either the principal dwelling or accessory apartment unit shall be owner-occupied for the duration of the accessory apartment use.*

#### **14. Detached Accessory Apartment Access**

Access to the accessory apartment in an accessory building through a 8'-0" wide side yard is acceptable per DCMR Title 11 (2016) Subtitle U-253.8.c3:

*An accessory apartment in an accessory building in an R zone, except the R-19 and R-20 zone, shall be permitted as a matter-of-right subject to the following conditions:*

*(a) There shall be permanent access to the accessory building apartment;  
(b) The dwelling use of the accessory building shall be coterminous with the permanent access; (c) The permanent access shall be provided by one (1) of the following:*

- (1) A permanent passage, open to the sky, no narrower than eight feet (8 ft.) in width, and extending from the accessory building to a public street through a side setback or shared recorded easement between properties;*
- (2) Through an improved public alley with a minimum width of twenty-four feet (24 ft.) that connects to a public street; or*
- (3) The accessory building is within three hundred feet (300 ft.) of a public street accessible through an improved public alley with a minimum width of fifteen feet (15 ft.);*

#### **15. Simultaneous Use**

An accessory building housing the Accessory Apartment can simultaneously be used as a garage, artist studio or storage area per DCMR Title 11 (2016) Subtitle U-253.8.d:

*(d) An accessory building that houses an apartment shall not be used simultaneously for any accessory use other than as a private vehicle garage, an artist studio, or storage for a dwelling unit on the lot.*

#### **16. Accessory Building Roof Deck**

An accessory building cannot have a roof deck per DCMR Title 11 (2016) Subtitle U-253.8.e:

*(e) An accessory building that houses an apartment shall not have a roof deck.*

#### **17. Side Yard-Primary Structure**

Any addition to an existing principal building must not decrease the side yard by less than the existing side yard and can result in a side yard no less than 5'-0" wide per DCMR Title 11 (2016) Subtitle D-307.1a:

*307.1 A minimum side yard of eight feet (8 ft.) shall be provided in the R-1-A, R-1-B, and R-2 zones.*

*307.5 For a building subject to a side yard requirement but which has an existing side yard less than eight feet (8 ft.) wide, an extension or addition may be made to the building; provided, that the width of the existing side yard shall not be decreased; and provided further, that the width of the existing side yard shall be a minimum of five feet (5 ft.).*

#### **18. Side Yard- Accessory Building**

The Accessory Building can be located within the side yard and up to the property line per DCMR Title 11 (2016) Subtitle D-5005.1:

*5005 SIDE YARD*

*5005.1 An accessory building in an R zone may be located within a side yard or beside the main building; provided, if the accessory building is located beside the main building, it shall be removed from the side lot line a distance equal to the required side yard and from all building lines a distance of not less than ten feet (10 ft.).*

**19. Pervious Surface**

The lot has to have a minimum pervious surface area of 50% per DCMR Title 11 (2016) Subtitle D-308.1:

*Subtitle 308.1 The minimum percentage of pervious surface requirement of a lot in the R-1-A or R-1-B zones shall be fifty percent (50%)*

**20. Parking**

There is no required parking for the Property since there is no alley access.

Accordingly, when you file the plans for a building permit, I will approve drawings that are consistent with the information noted above. Please let me know if you have any further questions.

Sincerely,



Matthew Le Grant  
Zoning Administrator

File: Det Let re 3210 Central Ave NE to Bamford on 1-16-2018